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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,668	11/25/2003	Otto E. Anderhub	06530.0311	6222
22852 7590 12/07/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP			EXAMINER	
			DAWSON, GLENN K	
901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			ART UNIT	PAPER NUMBER
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		•	12/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No.   Applicant(s)   AnDERHUB ET AL.			cT				
### Description of the provided in the process of the core sheet with the correspondence address  **Poriod for Reply**  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be limely fixed. If NO period for pely a specified body, the macroma statistics provided single yap woull regions (b) MONTH/S from the maining date of this communication. Failure to reply within the satistic part and the provisions of the correlation to become ABANDONED (35 U.S.C. § 133). Any reply received by the United States. The maining date of this communication, even if timely fixed, may reduce any security provided by the United States. The Invalidation of the communication is provided by the United States. The Invalidation of the communication, even if timely fixed, may reduce any security provided by the United States. The Invalidation of the communication is provided by the Invalidation of the communication of the Invalidation of the communication is provided by the Invalidation of the Invalidati	•	Application No.	Applicant(s)				
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of mem give be assigned under the provision of 3 CPR 1-1806, in no event, fowers, may a reply the limbely filed  If NO period for reply is specified above, the maintum statutory period will apply and will expire SX (6) MONTHS from the mailing date of this communication.  Fallive to reply willing the act or centraled period for reply as specified above, the maintum statutory period will apply and will expire SX (6) MONTHS from the mailing date of this communication.  Fallive to reply willing the act or central depriod for reply will be state. Central depriod for reply as specified above, the maintum statutory power by the specific provision of the communication of the communication of the scommunication of this communication.  Fallive to reply willing the act or central depriod for reply will be act or central deprivation.  This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1,2,6-27,31-50,52-65 and 87-94 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 50,52-65 and 68-94 is/are allowed.  6) Claim(s) 1,2,6-27,31-50,52-65 and 87-94 is/are allowed.  6) Claim(s) 2,6-27,31-50,52-65 and 88-94 is/are allowed.  6) Claim(s) 3,52-65 and 68-94 is/are allowed.  7) Claim(s) 3,1-4,97 and 88 is/are rejected.  7) Claim(s) 3,1-4,97 and 88 is/are rejected.  7) Claim(s) 3,1-4,97 and 88 is/are rejected.  8) Claim(s) 1,2-6-27,31-50,52-65 and 87-94 is/are allowed.  8) Claim(s) 1,2-6,27,31-50,52-65 and 88-94 is/are allowed.  9) The deposition of the comm	Office Action Summary	Examiner	Art Unit				
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Estationists of time may be anable under the provides of 37 CPR 1.1960, in no event however, may a reply be limited filled after 50x (8) MoNNTHS from the mailing date of this communication.  Faultee for poly within the set or extended profetor they will by a status, each early will be provided to be been a RANDHOEL 05 U.S. C. § 130. Any reply received by the Office bits than three months after the mailing date of this communication, even if timely filled, may reduce any seared pattern them adjustment. Set 37 CPR 1.704(b).  Status  1) □ Responsive to communication(s) filled on 19 September 2007.  2a) □ This action is FINAL.  2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 1.2.6-27.31-50.52-65 and 87-94 is/are pending in the application.  4) Of the above claim(s) □ is/are withdrawn from consideration.  5) □ Claim(s) 50.52-65 and 89-94 is/are allowed.  6) □ Claim(s) 50.52-65 and 89-94 is/are allowed.  6) □ Claim(s) □ is/are objected to by the Examiner.  10 □ The specification is objected to by the Examiner.  10 □ The proving(s) filed on □ is/are: a) □ accepted or b) □ objected to by the Examiner.  Application Papers  9) □ The specification is objected to by the Examiner.  10 □ The drawing(s) filed on □ is/are: a) □ accepted or b) □ objected to by the Examiner.  Application Papers  9) □ The proving the proving the proving the proving the data and proving the data and polyage to the data and po		ears on the cover sheet with the c	orrespondence address				
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### **Drawings**

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the groove in the holder receiving both the protrusions on the cutter portion and the storage portion and the gap in the holder, including one with a shape corresponding to that of the non-straight portion of the second end effector, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended."

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If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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### Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the specification fails to provide antecedent basis for a groove in the holder receiving both the protrusions on the cutter portion and the storage portion.

## Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1,2,6-27,31-49,87 and 88 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the

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time the application was filed, had possession of the claimed invention.

The specification fails to provide support for the new limitation that the groove in the holder receiving both the protrusions on the cutter portion and the storage portion.

## Allowable Subject Matter

Claims 50,52-65 and 89-94 are allowed.

# Response to Arguments

Applicant's arguments with respect to the rejected claims have been considered but are moot in view of the new ground(s) of rejection.

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#### Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn K.

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Dawson whose telephone number is 571-272-4694. The examiner can normally be reached on M-Th 7:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd E. Manahan can be reached on 571-272-4713. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pairdirect.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Glenn K Dawson
Primary Examiner
Art Unit 3731

Gkd 05 December 2007